



January 28, 2005

HOUSE BILL No. 1108

DIGEST OF HB 1108 (Updated January 26, 2005 2:48 pm - DI 69)

Citations Affected: IC 33-33; noncode.

Synopsis: Dearborn superior court. Establishes a second Dearborn superior court.

Effective: July 1, 2005.

Bischoff, Hoffman

January 6, 2005, read first time and referred to Committee on Courts and Criminal Code.
January 27, 2005, reported — Do Pass.

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January 28, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1108

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-33-15-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There ~~is~~ **are**
3 established ~~a court~~ **two (2) courts** of record to be known as the:

4 (1) Dearborn superior court **No. 1**; and

5 (2) **Dearborn superior court No. 2.**

6 (b) ~~The Each~~ Dearborn superior court is a standard superior court
7 as described in IC 33-29-1.

8 (c) Dearborn County comprises the judicial district of ~~the each~~
9 superior court.

10 SECTION 2. IC 33-33-15-3 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. ~~The Each~~ Dearborn
12 superior court has one (1) judge who shall hold sessions in:

13 (1) the Dearborn County courthouse in Lawrenceburg; or ~~in~~

14 (2) other places in the county as the Dearborn County executive
15 may provide.

16 SECTION 3. IC 33-33-15-4 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. In addition to a



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1 bailiff and an official court reporter for the court appointed under
 2 IC 33-29-1-5, ~~the~~ **each** judge may appoint a referee, a commissioner,
 3 or other personnel as the judge considers necessary to facilitate and
 4 transact the business of the court. The salary of a referee, a
 5 commissioner, or other person:

6 (1) shall be fixed in the same manner as the salaries of the
 7 personnel for the Dearborn circuit court; and

8 (2) shall be paid monthly out of the treasury of Dearborn County
 9 as provided by law.

10 Personnel appointed under this section or IC 33-29-1-5 continue in
 11 office until removed by the judge of the court **for which the personnel**
 12 **were appointed.**

13 SECTION 4. IC 33-33-15-5 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Except as
 15 provided in subsection (b), ~~the~~ **each** Dearborn superior court has the
 16 same jurisdiction as the Dearborn circuit court.

17 (b) The Dearborn circuit court has exclusive juvenile jurisdiction.

18 SECTION 5. IC 33-33-15-6 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~The~~ **Each** Dearborn
 20 superior court has a standard small claims and misdemeanor division.

21 SECTION 6. [EFFECTIVE JULY 1, 2005] **(a) Notwithstanding**
 22 **the amendment of IC 33-33-15 by this act, the Dearborn superior**
 23 **court No. 2 is not established until January 1, 2006.**

24 **(b) The governor shall appoint a person under IC 3-13-6-1(c) to**
 25 **serve as the initial judge of the Dearborn superior court No. 2**
 26 **established by IC 33-33-15-2, as amended by this act, before**
 27 **January 1, 2006.**

28 **(c) The term of the initial judge appointed under subsection (b)**
 29 **begins January 1, 2006, and ends December 31, 2006.**

30 **(d) The initial election of the judge of the Dearborn superior**
 31 **court No. 2 is the general election on November 7, 2006. The term**
 32 **of the initially elected judge begins January 1, 2007.**

33 **(e) This SECTION expires January 2, 2007.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1108, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

ULMER, Chair

Committee Vote: yeas 10, nays 0.

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